

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------|--------------------|-------------------|------------------|
| Application No. | : Not yet assigned | Confirmation No.: | Not yet assigned |
| Applicant(s)    | : Gianluca GAZZA   |                   |                  |
| Filed           | : October 3, 2005  |                   |                  |
| Title           | : VASCULAR STENT   |                   |                  |
| TC/A.U.         | : Not yet assigned |                   |                  |
| Examiner        | : Not yet assigned |                   |                  |
| Docket No.      | : 82062-0169       |                   |                  |
| Customer No.    | : 24633            |                   |                  |

**Mail Stop PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document(s) listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application.

Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO, and the JPO. The absence of a translation or English-language counterpart document does not relieve the PTO from its duty to consider any submitted documents (37 C.F.R. §1.98 and MPEP §609).

This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO-1449. The references contained in this Information Disclosure Statement were first cited in the attached Search Report dated December 19, 2003, in counterpart International Application No. PCT/IB2003/001958.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.


Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

Dated: October 3, 2005

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| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE<br>(Modified) PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br><br>(Use several sheets if necessary) | ATTY. DOCKET NO.<br>82062-0169 | APPLICATION NO.<br><b>10/552030</b><br>Not yet assigned |
|  | APPLICANTS<br>Gianluca GAZZA   |   |
|  | FILING DATE<br>October 3, 2005 | GROUP<br>Not yet assigned                               |

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | PATENT<br>NUMBER | ISSUE<br>DATE | PATENTEE          | CLASS | SUBCLASS | FILING DATE<br>IF<br>APPROPRIATE |
|---------------------|----|------------------|---------------|-------------------|-------|----------|----------------------------------|
| /J.B./              | A1 | 6,027 741 A      | 02/22/2000    | Cialdi et al.     |       |          |                                  |
| /J.B./              | A2 | 5,759,205 A      | 06/03/1998    | Valentini         |       |          |                                  |
| /J.B./              | A2 | 6,129,956 A      | 10/10/2000    | Callegaro et al.. |       |          |                                  |
| /J.B./              | A3 | 6,120 536 A      | 09/19/2000    | Ding et al.       |       |          |                                  |
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## FOREIGN PATENT DOCUMENTS

|        |    | DOCUMENT<br>NUMBER | PUBLISHED<br>DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--------|----|--------------------|-------------------|---------|-------|----------|-------------|----|
|        |    |                    |                   |         |       |          | Yes         | No |
| /J.B./ | A4 | WO 98-45335 A      | 10/15/1998        | WIPO    |       |          |             |    |
| /J.B./ | A5 | WO 99-03854        | 01/28/1999        | WIPO    |       |          |             |    |

## NON PATENT LITERATURE DOCUMENTS

| Examiner<br>Initials* | Cite<br>No.        | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), Title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|-----------------------|--------------------|--|
| /J.B./                |                    | International Search Report December 19, 2003 for International Application No. PCT/IB03/01958   |
|                       |                    |  |
| EXAMINER              | /Jennifer Berrios/ |  |
|                       |                    | DATE CONSIDERED 02/04/2009   |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.